



PTO/SB/30 (8/2000)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/155,327
Filing Date	March 29, 1999
First Named Inventor	Suzanne Cory, et a.
Group Art Unit	1633
Examiner Name	S. Kaushal
Attorney Docket Number	11686

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

## 1. Submission required under 37 C.F.R. § 1.114.

### a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed

- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Preliminary Amendment, Exhibits A&B

Substitute sheets of Figures 9A and 9B  
Marked up version of Amendment & Seq List,

## 2. Miscellaneous

Substitute paper & computer-readable form of Sequence Listing & Statement

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-1013/SSMP
  - i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
  - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (\$110.00 one month ext.) (enclosed)
  - iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 740.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Frank S. DiGiglio

Registration No. (Attorney / Agent)

31,346

Signature

Date

November 9, 2001

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Name (Print / Type)

Michelle Mustafa

Signature

Date

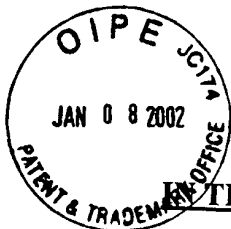
November 9, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Suzanne Cory, et al.

**Examiner:** S. Kaushal

**Serial No:** 09/155,327

**Art Unit:** 1633

**Filed:** March 29, 1999

**Docket:** 11686

**Corresponding to:**

**Int'l App. No.:** PCT/AU97/00199

**Dated:** November 9, 2001

#25E  
Zeta  
1-23-02

**Int'l Filing Date:** March 27, 1997

**For:** NOVEL MAMMALIAN GENE, BCL-W,  
BELONGS TO THE BCL-2 FAMILY  
OF APOPTOSIS-CONTROLLING GENES

Assistant Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

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**PRELIMINARY AMENDMENT**

Sir:

In response to the Final Action dated April 9, 2001 and in connection with the filing of a Request for Continued Examination (RCE) pursuant to 37 C.F.R. §1.114, please enter the following preliminary amendment in the above-identified case.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 9, 2001.

Dated: November 9, 2001

  
Michelle Mustafa